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JC698 U.S. PTO

10/05/2005
11/13/01
JC698 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SJ-01-0022

First Inventor or Application Identifier: Atkinson

Title of Invention: **Diagnostic Assay for
Antibiotic Tolerance**

Express Mail Label No. EL321868735US

ADDRESS TO: **BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231**



28258

PATENT TRADEMARK OFFICE

Transmitted herewith for filing in the United State Patent Office is a patent application for:

Inventors:

**COPY OF PAPERS
ORIGINALLY FILED**

Assignee of this invention is **St. Jude Children's Research Hospital, Inc.**

1. ☒ The Filing Fee has been calculated as shown below:
2. ☒ Applicant claims Small Entity Status. See 37 CFR 1.27.

			Small Entity
	No. Filed	No. Extra	Rate Fee 0
BASIC FEE			\$370.00
TOTAL CLAIMS:	16 - 20 =	0	X 9 = \$0
INDEP CLAIMS:	4 - 3 =	1	X 40 = \$40
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+135 = \$0
* If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL \$ 410.00

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 501968.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).
- b. ☒ Fees requested under 37 CFR 1.17 (National application processing fees).
3. ☒ Specification; 22 Total Pages, including 4 pages of claims and a 1 page abstract
4. ☐ 0 Sheets of Formal Drawing(s) (35 USC 113)
5. ☒ Declaration and Power of Attorney; [Total Pages 2]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 16.3(d)(2) & 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) ☒
- a. ☒ Computer Readable Copy (CRF)
- b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05
- c. ☒ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper (4 Pages)
- d. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & document(s)) (including a check for the \$40.00 fee)
9. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
10. ☒ Request for Early Publication Under 37 CFR 1.219 or its equivalent.

11. CORRESPONDENCE ADDRESS

CUSTOMER NUMBER 28258

Signature: James Scott Elmer

Attorney/Agent of Record: James Scott Elmer

Attorney/Agent Registration No. 36,129

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Memphis, TN 38105

Tel (901) 495-2342

Fax (901) 495-3148

"Express Mail" mailing label number EL321868735US

Date of Deposit: **November 13, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner for Patents, Washington, DC 20231

Regina D. McKinney
Regina D. McKinney



St. Jude Children's
Research Hospital

ALSAC • Danny Thomas, Founder

OFFICE OF TECHNOLOGY LICENSING

PHONE: 901-495-2342
FAX: 901-495-3148



28258

PATENT TRADEMARK OFFICE

November 13, 2001

Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. To be assigned; Filed: Herewith (November 13, 2001)
For: Diagnostic Assay for Antibiotic Tolerance
Inventors: Atkinson and Tuomanen
Our Ref: SJ-01-0022

Sir:

The following documents are forwarded herewith for appropriate action by the
U.S. Patent and Trademark Office:

1. PTO Utility Patent Application Transmittal (*in duplicate; 2 pages each, 4 pages total*);
2. U.S. Utility Patent Application entitled:

Diagnostic Assay for Antibiotic Tolerance

and naming as inventors:

Robyn M. Atkinson, and
Elaine I. Tuomanen

the application consisting of:

- a. A specification totaling 22 pages containing:
 - i. 17 pages of description prior to the claims;
 - ii. 4 pages of claims (16 claims); and
 - iii. a one (1) page abstract.

4. Request for Early Publication under 37 C.F.R. § 1.219 (1 page);
5. Verified Statement Claiming Small Entity Status (2 pages);
6. Sequence Listing in computer readable (3.5 inch computer disc) and paper (4 pages) form along with a statement verifying the identity of both forms (1 page).
7. Executed Declaration and Power of Attorney for Patent Application (2 pages);
8. Executed Assignment and recordation cover sheet (4 pages);
9. Express Mail Label No. EL321868735US; and
10. Two (2) self-addressed and stamped return postcards.

Please charge Deposit Account No. 501968 a total of \$775.00 to cover:

\$410.00	Small Entity fees under 37 C.F.R. §1.16(a) and (b) for filing a utility patent application with excess independent claims;
\$300.00	Fee under 37 C.F.R. §1.18(d) for Early Publication Request
\$40.00	Assignment recordation fee under 37 C.F.R. §1.21(h).

The Commissioner is hereby authorized to charge any additional payment required by this submission, or credit any overpayment, to Deposit Account No. 501968.

Regards,



J. Scott Elmer
Reg. No. 36,129
Director, Office of
Technology Licensing

JSE:rdm

Enclosures

1005425-1101
FOET 5225001

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

01/29/2002 RMEBRAHT 00000061 501968 10054225

01 FC:201	370.00 CH
02 FC:202	42.00 CH
03 FC:195	300.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Atkinson *et al*
Appln. No.: To be assigned
Filed: Herewith
For: Diagnostic Assay for Antibiotic Tolerance



28258
PATENT TRADEMARK OFFICE

Date: November 13, 2001

Box Patent Application
Commissioner for Patents
Washington, DC 20231

**REQUEST FOR EARLY PUBLICATION
UNDER 37 C.F.R. § 1.219**

Sir:

Applicant hereby requests early publication of this patent application under 37 C.F.R. § 1.219. Please charge the fee of \$300.00 under 37 C.F.R. § 1.18 to deposit account no. 501968. Any deficiency may be charged to deposit account 501968.

Respectfully submitted,

James Scott Elmer
Registration No. 36,129

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CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EL321868735US
Date of Deposit November 13, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner for Patents, Washington, DC 20231

Regina D. McKinney